

REMARKS

This is in response to the Office Action dated April 22, 2004.

SUMMARY OF OFFICE ACTION

Most importantly, Claims 1, 2, 4-28 and 47-67 have been allowed.

In the Office Action, Claims 29-33, 36-39, 40 and 41 were rejected under 35 USC 103(a) as being unpatentable over Patel (U.S. Patent No. 5,315,636) in view of Jones et al. (U.S. Patent No. 6,259,418). With respect to base Claim 29, as understood, the Examiner indicated that it would have obvious "to incorporate the retractable and extendable antenna with a novel geometric configuration into Patel's communication device." Claim 34 was rejected under 35 USC 103(a) as being unpatentable over Patel and Jones as applied to Claim 33 above, and further in view of Cheung et al. (U.S. Patent No. 6,541,908) based on the view that "it would ... have been obvious ... to provide the organic polymer emissive display application as the display in Patel as modified by Jones in order to have a miniature display with high resolution and low cost as taught by Cheung."

Claim 44 was rejected under 35 USC 103(a) as being unpatentable over Patel and Jones et al. as applied to Claim 29, and further in view of Spall et al. (U.S. Patent No. 6,097,934) based on the view that "it would ... have been obvious ... to modify Patel with Spall's antennas such that the antenna is either a monopole, dipole or patch antenna, in order to provide a suitable antenna as desired by the portable device application. Claim 45 was rejected under 35 USC 103(a) as being unpatentable over Patel and Jones et al. as applied to Claim 29 above, and further in view of Puthuff (U.S. Patent No. 6,112,103) and Jarger (U.S. Patent No. 4,293,818) based on the view that "it would .. have been obvious ... to modify Patel and Jones with Puthuff's voice recognition capability, such that the device has a voice response capability in order to provide a user with optional convenient method for entering information into the device."

Claim 46 was rejected under 35 USC 103(a) as being unpatentable over Patel and Jones et al. as applied to Claim 29 above, and further in view of Dennison et al. (U.S. Patent No. 5,235,633) based on the view that "it would .. have been obvious to provide GPS for

providing information that is uploaded to a base station for the benefit of handing off the device to a cell site that is appropriate and provides good quality communications.

CHANGE OF CORRESPONDENCE ADDRESS

Pursuant to 37 CFR 1.33, Applicants request that the correspondence address of the above identified patent application be changed to the address identified in the attached CHANGE OF CORRESPONDENCE ADDRESS form PTO/SB/122. (see Exhibit 1).

APPLICANTS' RESPONSE TO OFFICE ACTION

In the Office Action, Claim 29 was rejected under 35 USC 103(a) as being unpatentable over Patel (U.S. Patent No. 5,315,636) in view of Jones et al. (U.S. Patent No. 6,259,418) based on the view that it would have obvious "to incorporate the retractable and extendable antenna with a novel geometric configuration into Patel's communication device." In response, Applicants have amended Claim 29 to further recite "said sheet hinged to and rotateable about an edge of said smart card such that said monopole antenna may be deployed by rotating said sheet about said edge." In other words, the sheet with the antenna is embedded therein is rotateable about the edge, and the antenna may be deployed by rotating the sheet with the antenna embedded therein about the edge. The basis for this amendment to Claim 29 may be found in Figure 6 of the specification as well as the corresponding textual description related to Figure 6 in the specification.

Applicants respectfully submit that Jones et al. does not disclose the invention as recited in amended Claim 29. In particular, the sheet (i.e., retractable extension) is not rotateable about the edge. Rather, the sheet is slideable about the edge. Further, the antenna is not deployed by rotating the sheet about the edge. Rather, the antenna is deployed by sliding the sheet away from the edge and separately rotating the antenna up. Accordingly, Applicants respectfully submit that, as understood, the disclosure of Patel and Jones et al. does not disclose the invention as recited in amended Claim 29, and more particularly, these references do not disclose the structure of the amending language of Claim 29 identified above. As such, all the claim limitations are not taught by the cited references, namely Patel

and Jones et al., and in this regard, the invention recited in amended Claim 29 is believed to be novel and non-obvious.

Moreover, even if there was a reference that disclosed a sheet embedded with an antenna that is rotatable about an edge and deployment of the antenna is accomplished by rotating the sheet about the edge, there is no motivation to combine such reference with the teachings of Patel. In support thereof, Applicants direct the Examiner's attention to the summary of the invention of Patel, namely col. 2, lns. 22-29 which, as understood, states that the system operates to route an incoming telephone call to the subscriber wherever the subscriber may be. In this regard, as understood, the timing of the incoming telephone call is unknown. As such, the invention (i.e., the system) disclosed in the Patel reference is presumably "always on", or in other words, "always deployed." The reason is that if the system were at some point in time incapable of receiving the signal (i.e., when the antenna is not deployed) then the system may not receive the signal and may be made inoperative for its intended purpose of routing the incoming telephone call appropriately. Hence, there is no motivation or suggestion to combine a reference wherein the antenna is traverseable between a deployed and undeployed position. Accordingly, Applicants respectfully submit that Claim 29 is believed to be in condition for allowance.

The dependent claims of independent Claim 29 is believed to contain additional patentable subject matter. For example, Claim 44 is directed to a patch antenna. In this regard, the Examiner cites Spall, as understood, for support that a patch antenna may be used for radiotelephones. In particular, the Examiner referred the Applicants to col. 5, lns. 31-41. As understood, the relevant sentence from this passage is "Antenna 22 may be any antenna suitable for use with radiotelephones, including a large variety of monopole, dipole, patch, helical and multifilar helical antennas." In this regard, as understood, this sentence merely states numerous types of antennas that may be used in conjunction with a radiotelephone but does not state the reasons that a skilled artisan, confronted with the same problems as the inventor and with no knowledge of the claimed invention, would select the patch antenna over the dipole, monopole and other types of identified antennas. In other words, the passage identified by the Examiner does not disclose a motivation to combine the teachings of Spall

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(i.e., patch antenna) with the teachings of Patel. Accordingly, Applicants respectfully submit that Claim 44 is in condition for allowance as well as dependent Claims 30-41 and 44-46.

Applicants acknowledge receipt of the prior art made of record and not relied upon, but considered by the Office Action to be pertinent to Applicants' disclosure. It is Applicants' belief that the cited art, either alone or in combination, does not anticipate, suggest, or make obvious the instantly claimed invention.

CONCLUSION

For the foregoing reasons, Applicants respectfully submit that the all the stated grounds of rejection has been overcome, and that Claims 29-41 and 44-46 are in condition for allowance as well as Claims 1, 2, 4-28 and 47-67 which were identified in the Office Action as being in condition for allowance. An early Notice of Allowance is therefore respectfully requested.

Should the Examiner have any suggestions for expediting allowance of the application, the Examiner is invited to contact the Applicant's representative at the telephone number below.

If any additional fee is required, please charge Deposit Account Number 19-4330.

Respectfully submitted,

Date: May 28 2004 By: _____



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